

REMARKS

Claims 1-17 were the only claims pending. Claim 17 was cancelled in the preliminary amendment. Claims 1-16 remain pending and are under consideration.

Claim 1 is currently amended to incorporate the limitations of claim 2. Accordingly, claim 2 is cancelled.

Claims 3 and 4 are cancelled without prejudice; however, the Applicants reserve the right to claim cancelled subject matter in one or more divisional or continuation applications.

No new matter has been added.

Claims 1 and 5-16 are presented for reconsideration.

In the Specification

A paragraph is added at the top of page one directly after the title identifying the parent application from which the present application is derived.

Claim Rejections 35 USC 112, Second Paragraph

Claim 1 is rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The Examiner rejects claim 1 as indefinite because it is unclear to the Examiner how the final 1,4-diol products are obtained from the intermediate compounds of formulae (IA) and (IB).

Claim 1 is currently amended to incorporate the limitations of claim 2, thus showing the transformation of the intermediate compounds (IIA) and (IIB) to intermediate compounds (IIIA) and (IIIB) and ultimately the desired C₂-symmetric diols of the formula (IVA) or (IVB). Accordingly, claim 2, which was found allowable, is cancelled.

The Applicants therefore aver that the 35 USC 112, second paragraph, rejection is addressed and is overcome.

Claim Rejections – 35 USC 102(b)

Claim 4 is rejected under 35 USC 102(b) as being anticipated by 1) Ramachandran et al. (Tetrahedron Letters, 38(14), 1997, pp 2417-2420) and 2) Ramachandran et al. (Tetrahedron Letters, 37(22), 1996, pp. 3795-3798).

Claim 4 is cancelled without prejudice.

The present 35 USC 102(b) rejection is addressed and is overcome.

Claim Rejections – 35 USC 103(a)

Claims 1 and 3 are rejected under 35 USC 103(a) as being unpatentable over Meyer et al. (Chem. Ber., vol. 113, pp. 1304-1319, 1980), in view of Kraus et al (Synlett. 1993, pp. 525-526).

Claim 1 is currently amended to incorporate the limitations of claim 2, thus showing the transformation of the intermediate compounds (IIA) and (IIB) to intermediate compounds (IIIA) and (IIIB) and ultimately the desired C₂-symmetric diols of the formula (IVA) or (IVB). Accordingly, claim 2, which was found allowable, is cancelled.

Claim 3 is cancelled without prejudice.

The present 35 USC 103(a) rejection is addressed and is overcome.

Allowable Subject Matter

Claim 2 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 5-16 are found allowable as well and the Applicants thank the Examiner for clarifying this point in the Interview Summary mailed from the USPTO on May 9, 2008.

The Examiner is kindly requested to reconsider and to withdraw the present objections and rejections.

Applicants submit that the present claims are in condition for allowance and respectfully request that they be found allowable.

Respectfully submitted,



for

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